

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	0

MR. SPEAKER:

*Your Committee on Public Policy and Veterans Affairs, to which was referred Senate Bill 106, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 corrections and insurance.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 11-10-14 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2005]:
- 9 **Chapter 14. Transitional Dormitories**
- 10 **Sec. 1. Before January 1, 2007, the department may provide a**
- 11 **transitional dormitory at any security facility approved by the**
- 12 **commissioner.**
- 13 **Sec. 2. (a) A transitional dormitory may provide programming**
- 14 **and training in the following areas:**
- 15 **(1) Drug addiction and alcoholism treatment.**

1 **(2) Employment skills and vocations.**

2 **(3) Personal responsibility.**

3 **(4) Faith and religion.**

4 **(5) Peer support.**

5 **(6) Motivation.**

6 **(b) Except as provided in subsection (c), the department shall:**

7 **(1) use volunteers recruited under section 4(b)(2) of this**
8 **chapter; and**

9 **(2) provide other staff;**

10 **necessary for the operation of a transitional dormitory.**

11 **(c) The department may contract with a faith based**
12 **organization to provide staff necessary for the operation of a**
13 **transitional dormitory.**

14 **Sec. 3. (a) An offender who wishes to reside in a transitional**
15 **dormitory must submit a written application to the director of the**
16 **transitional dormitory. An application must be on a form**
17 **prescribed by the department.**

18 **(b) The director shall review each application and, not more**
19 **than thirty (30) days after receipt of the application, issue a written**
20 **decision to the offender.**

21 **(c) The director may determine eligibility based on the following**
22 **criteria:**

23 **(1) A preference shall be given to an offender who has less**
24 **than twenty-four (24) months until the offender's expected**
25 **release date.**

26 **(2) Previous disciplinary action taken against an offender**
27 **under IC 11-11-5-3.**

28 **(3) Security risks presented by admitting an offender to a**
29 **transitional dormitory.**

30 **(4) An offender's demonstrated interest in the programs**
31 **offered by a transitional dormitory.**

32 **(5) An offender's previous attempts to reside in a transitional**
33 **dormitory at any penal facility.**

34 **(6) Other criteria developed by the department.**

35 **(d) An offender being treated under IC 11-10-4 is ineligible for**
36 **placement in a transitional dormitory unless a psychiatrist treating**
37 **the offender certifies to the director at or near the time the offender**
38 **submits an application under subsection (a) that the offender can**

1 meaningfully participate in the programs offered by a transitional
2 dormitory.

3 **Sec. 4. (a) The department shall select a person to be the**
4 **director of each transitional dormitory. The department may select**
5 **a person to be a director who is employed by a faith based**
6 **organization.**

7 **(b) The director's responsibilities include the following:**

8 **(1) Implement each program component.**

9 **(2) Recruit volunteers to provide instruction and training in**
10 **the transitional dormitory with an emphasis on recruiting**
11 **volunteers for religious programs.**

12 **(3) Oversee the day to day operations of the transitional**
13 **dormitory.**

14 **(4) Provide information requested by the superintendent**
15 **regarding an offender or a program.**

16 **(5) Remove an offender from the transitional dormitory for:**

17 **(A) population management concerns;**

18 **(B) misconduct;**

19 **(C) security or safety concerns;**

20 **(D) mental health concerns; or**

21 **(E) lack of meaningful participation in the programs and**
22 **training.**

23 **Sec. 5. (a) The department shall submit an evaluation report to**
24 **the legislative council on the faith based transitional dormitory**
25 **program one (1) year after its inception and continue to provide a**
26 **report to the legislative council on or before December 1 of each**
27 **year.**

28 **(b) The report described in subsection (a) must be in an**
29 **electronic format under IC 5-14-6.**

30 **(c) The report described in subsection (a) must contain:**

31 **(1) an extensive evaluation of the faith based transitional**
32 **dormitory program;**

33 **(2) statistics that include the number of inmates who:**

34 **(A) have enrolled in a faith based transitional dormitory**
35 **program;**

36 **(B) have completed a faith based transitional dormitory**
37 **program; and**

38 **(C) have been released from the department and did not**

1 participate in a faith based transitional dormitory
2 program; and

3 (3) the results of a survey of the employees of faith based
4 transitional dormitories. The survey must ask the employees
5 their opinions concerning the progress of the faith based
6 transitional dormitories, how the program could improve, and
7 how the program is successful.

8 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
9 SECTION, "department" refers to the department of correction
10 established by IC 11-8-2-1.

11 (b) As used in this SECTION, "commissioner" refers to the
12 commissioner of the department of correction appointed under
13 IC 11-8-2-4.

14 (c) Not later than September 1, 2005, the commissioner shall
15 report progress on entering into a contract with a faith based
16 organization to create a pilot project to operate faith based
17 transitional dormitories at state operated correctional facilities.

18 (d) Not later than November 1, 2005, the commissioner shall
19 report the status on implementing a pilot project and report a
20 target date for the commencement of the pilot project. A report
21 under subsection (c) and this subsection must be in an electronic
22 format under IC 5-14-6.

23 (e) This SECTION expires December 31, 2005.

24 SECTION 3. An emergency is declared for this act."

25 Renumber all SECTIONS consecutively.

(Reference is to SB 106 as printed January 28, 2005.)

and when so amended that said bill do pass.

Representative Alderman